

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

DANIEL T. PAULY, as Personal Representative  
of the ESTATE OF SAMUEL PAULY, deceased,  
and DANIEL B. PAULY, Individually,

Plaintiffs,

vs.

Civ. No. 12-1311 KG/JHR

STATE OF NEW MEXICO  
DEPARTMENT OF PUBLIC SAFETY,  
RAY WHITE, MICHAEL MARISCAL, and  
KEVIN TRUESDALE,


Defendant.

SUMMARY JUDGMENT AS TO COUNT ONE

This matter comes before the Court upon the mandate filed by the Tenth Circuit Court of Appeals on November 22, 2017, and the Tenth Circuit's opinion, filed on October 31, 2017. (Doc. 177). Pursuant to that mandate and opinion,

IT IS ORDERED that

1. summary judgment is entered in favor of Defendants Ray White, Michael Mariscal, and Keven Truesdale on Count One of the "Amended Second Amended Complaint for Damages for Deprivation of Civil Rights, Wrongful Death, and Common Law Torts" (Doc. 142); and
2. Count One is dismissed with prejudice.



UNITED STATES DISTRICT JUDGE